

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
NEW ALBANY DIVISION

In re:	)	Chapter 11
	)	
EASTERN LIVESTOCK CO., LLC,	)	Case No. 10-93904-BHL-11
	)	
Debtor.	)	

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**EMERGENCY AGREED MOTION FOR EXTENSION OF DEADLINE TO OBJECT TO  
PROOFS OF CLAIM FILED BY AB LIVESTOCK, LLC**

James A. Knauer, in his capacity as chapter 11 trustee ("Trustee") for Eastern Livestock Co., LLC ("Debtor") and AB Livestock, LLC (including all affiliates and subsidiaries thereof, "AB Livestock"), both by counsel, respectfully request that the Court enter an order on or before April 19, 2013 extending the deadline for filing objections to the proofs of claim filed by AB Livestock in this chapter 11 case. In support of this motion (the "Motion"), the Trustee and AB Livestock state:

1. The Court entered an order confirming the *Trustee's First Amended Chapter 11 Plan of Liquidation* [Dock. No. 1490] (the "Plan")<sup>1</sup> on December 17, 2012. The Plan became effective on December 20, 2012. *See* Dock. No. 1675.

2. Pursuant to the Plan, the deadline for filing claim objections is "the later of (a) one hundred twenty (120) days after the Effective Date and (b) within sixty (60) days after such Claim is deemed timely filed and served on counsel for the Trustee. The Trustee may request and the Court may order the extension of any Claims Objection Deadline." (Plan, p. 5).

3. Claim objections are therefore due on or before April 19, 2013. That date has not yet passed.

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<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Plan.

4. On May 2, 2011, AB Livestock filed the proof of claim designated as claim number 485 on the official claims register maintained by The BMC Group, Inc. in this case. On November 26, 2012, AB Livestock amended claim number 485 by filing the proof of claim identified as claim number 527 on the claims register. Claim number 485, claim number 527 and any subsequent amendments or proofs of claim filed by AB Livestock are hereafter referred to collectively as the "AB Livestock Proof of Claim".

5. The Trustee and AB Livestock are engaged in ongoing settlement discussions and have entered into a tolling agreement to extend certain deadlines and statutes of limitations. The Trustee and AB Livestock agree that the deadline for the Trustee to object to the AB Livestock Proof of Claim should be extended through and including December 1, 2013 in order to facilitate those settlement discussions.

6. This agreed Motion is being filed on an emergency basis because the Trustee's deadline to object to the AB Livestock Proof of Claim is currently April 19, 2013. The parties are therefore filing a motion contemporaneously herewith requesting that the Court enter an order granting this Motion on or before April 19, 2013. Because the relief requested by this Motion is limited to the AB Livestock Proof of Claim, expedited treatment of this Motion will not adversely affect any parties in interest.

WHEREFORE, the Trustee and AB Livestock respectfully request that the Court enter an order on or before April 19, 2013 extending the deadline for the Trustee to object to the AB Livestock Proof of Claim through and including December 1, 2013. The parties ask for all other just and appropriate relief.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 17, 2013, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

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